

**REVISED AMENDMENT TO H.R. 1501**  
**OFFERED BY MR. FRANKS OF NEW JERSEY OR**  
**MR. PICKERING OF MISSISSIPPI**

At the end of the bill, add the following (and make such technical and conforming changes as may be appropriate):

1           **TITLE \_\_\_\_—CHILDREN’S**  
2           **INTERNET PROTECTION**

3   **SEC. \_\_\_\_01. SHORT TITLE.**

4           This title may be cited as the “Children’s Internet  
5 Protection Act”.

6   **SEC. \_\_\_\_02. NO UNIVERSAL SERVICE FOR SCHOOLS OR LI-**  
7                   **BRARIES THAT FAIL TO IMPLEMENT A FIL-**  
8                   **TERING OR BLOCKING TECHNOLOGY FOR**  
9                   **COMPUTERS WITH INTERNET ACCESS.**

10          (a) IN GENERAL.—Section 254 of the Communica-  
11 tions Act of 1934 (47 U.S.C. 254) is amended by adding  
12 at the end thereof the following:

13          “(1) IMPLEMENTATION OF AN INTERNET FILTERING  
14 OR BLOCKING TECHNOLOGY.—

15               “(1) IN GENERAL.—An elementary school, sec-  
16 ondary school, or library that fails to provide the  
17 certification required by paragraph (2) or (3), re-

1       spectively, is not eligible to receive or retain univer-  
2       sal service assistance provided under subsection  
3       (h)(1)(B).

4           “(2) CERTIFICATION FOR SCHOOLS.—To be eli-  
5       gible to receive universal service assistance under  
6       subsection (h)(1)(B), an elementary or secondary  
7       school shall certify to the Commission that it has—

8           “(A) selected a technology for computers  
9       with Internet access to filter or block—

10           “(i) child pornographic materials,  
11       which shall have the meaning of that term  
12       as used in sections 2252, 2252A, 2256 of  
13       title 18, United States Code;

14           “(ii) obscene materials, which shall  
15       have the meaning of that term as used in  
16       section 1460 of title 18, United States  
17       Code; and

18           “(iii) materials deemed to be harmful  
19       to minors, which shall have the meaning of  
20       that term as used in section 231 of the  
21       Communications Act of 1934 (47 U.S.C.  
22       231); and

23           “(B) installed, or will install, and uses or  
24       will use, as soon as it obtains computers with

1 Internet access, a technology to filter or block  
2 such material.

3 “(3) CERTIFICATION FOR LIBRARIES.—To be  
4 eligible to receive universal service assistance under  
5 subsection (h)(1)(B), a library shall certify to the  
6 Commission that it has—

7 “(A) selected a technology for computers  
8 with Internet access to filter or block—

9 “(i) child pornographic materials,  
10 which shall have the meaning of that term  
11 as used in sections 2252, 2252A, 2256 of  
12 title 18, United States Code;

13 “(ii) obscene materials, which shall  
14 have the meaning of that term as used in  
15 section 1460 of title 18, United States  
16 Code; and

17 “(iii) materials deemed to be harmful  
18 to minors, which shall have the meaning of  
19 that term as used in section 231 of the  
20 Communications Act of 1934 (47 U.S.C.  
21 231); and

22 “(B) installed, or will install, and uses or  
23 will use, as soon as it obtains computers with  
24 Internet access, a technology to filter or block  
25 such material.

1           “(4) TIME FOR CERTIFICATION.—The certifi-  
2           cation required by paragraph (2) or (3) shall be  
3           made within 30 days of the date that rules are pro-  
4           mulgated by the Federal Communications Commis-  
5           sion, or, if later, within 10 days of the date on which  
6           any computer with access to the Internet is first  
7           made available in the school or library for its in-  
8           tended use.

9           “(5) NOTIFICATION OF CESSATION; ADDI-  
10          TIONAL INTERNET-ACCESSING COMPUTER.—

11           “(A) CESSATION.—A school or library that  
12           has filed the certification required by paragraph  
13           (3)(A) shall notify the Commission within 10  
14           days after the date on which it ceases to use  
15           the filtering or blocking technology to which the  
16           certification related.

17           “(B) ADDITIONAL INTERNET-ACCESSING  
18           COMPUTER.—A school or library that has filed  
19           the certification required by paragraph (3)(B)  
20           that adds another computer with Internet ac-  
21           cess intended for use by the public (including  
22           minors) shall make the certification required by  
23           paragraph (3)(A) within 10 days after that  
24           computer is made available for use by the pub-  
25           lic.

1           “(6) POSTING OF NOTICE.—A school or library  
2           that has filed a certification under paragraph (2) or  
3           (3) shall post within view of the computers which  
4           are the subject of that certification a notice that  
5           contains—

6                   “(A) a copy of the filter or block certifi-  
7           cation;

8                   “(B) a statement of such school’s or li-  
9           brary’s filtering or block policy; and

10                   “(C) information on the specific block  
11           technology in use.

12           “(7) PENALTY FOR FAILURE TO COMPLY.—A  
13           school or library that fails to meet the requirements  
14           of this subsection is liable to repay immediately the  
15           full amount of all universal service assistance the  
16           school or library received under subsection (h)(1)(B)  
17           after the date the failure began.

18           “(8) LOCAL DETERMINATION OF MATERIAL TO  
19           BE FILTERED.—For purposes of paragraphs (2) and  
20           (3), the determination of what material is to be  
21           deemed harmful to minors shall be made by the  
22           school, school board, library or other authority re-  
23           sponsible for making the required certification. No  
24           agency or instrumentality of the United States Gov-  
25           ernment may—

1           “(A) establish criteria for making that de-  
2           termination;

3           “(B) review the determination made by the  
4           certifying school, school board, library, or other  
5           authority; or

6           “(C) consider the criteria employed by the  
7           certifying school, school board, library, or other  
8           authority in the administration of subsection  
9           (h)(1)(B).

10          “(9) NO PREEMPTION OR OTHER EFFECT.—  
11          Nothing in this subsection shall be construed—

12               “(A) to preempt, supersede, or limit any  
13               requirements that imposed by a school or li-  
14               brary, or by a political authority for a school or  
15               library, that are more stringent than the re-  
16               quirements of this subsection; or

17               “(B) to supersede or limit otherwise appli-  
18               cable Federal or State child pornography or ob-  
19               scenity laws.”.

20          (b) CONFORMING CHANGE.—Section 254(h)(1)(B) of  
21          the Communications Act of 1934 (47 U.S.C.  
22          254(h)(1)(B)) is amended by striking “All telecommuni-  
23          cations” and inserting “Except as provided by subsection  
24          (l), all telecommunications”.

1   **SEC. \_\_\_\_3. FCC TO ADOPT RULES WITHIN 4 MONTHS.**

2       The Federal Communications Commission shall  
3 adopt rules implementing section 254(l) of the Commu-  
4 nications Act of 1934 (as added by this Act) within 120  
5 days after the date of enactment of this Act.